

ASSEMBLY BILL

No. 1686

Introduced by Assembly Member Jeffries

January 26, 2010

An act to add Section 40440.15 to the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 1686, as introduced, Jeffries. South coast district: diesel generators: communication facilities.

Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution, and air pollution control districts and air quality management districts with the primary responsibility for the control of air pollution from all sources other than vehicular sources. Existing law creates the South Coast Air Quality Management District with jurisdiction over air quality within the South Coast Air Basin, including in the Counties of Los Angeles, Orange, Riverside, and San Bernardino.

This bill would prohibit the South Coast Air Quality Management District from imposing requirements, or engaging in actions, that would prevent the operation, use, or maintenance of diesel-powered generators that would provide either primary or back-up electricity to specified facilities.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Santa Rosa Peak Communication

Site, the Sunnyslope Communication Site, and the Glen Avon Communication Site.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 40440.15 is added to the Health and
- 2 Safety Code, to read:
- 3 40440.15. (a) The south coast district shall not impose a
- 4 requirement, or engage in an action, that would prevent the
- 5 operation, use, or maintenance of a diesel-powered generator that
- 6 would provide either primary or back-up electricity to any of the
- 7 following:
- 8 (1) The Santa Rosa Peak Communication Site.
- 9 (2) The Sunnyslope Communication Site.
- 10 (3) The Glen Avon Communication Site.
- 11 (b) This section shall be implemented in a manner consistent
- 12 with federal law.
- 13 SEC. 2. The Legislature finds and declares that a special law
- 14 is necessary and that a general law cannot be made applicable
- 15 within the meaning of Section 16 of Article IV of the California
- 16 Constitution because of the unique nature of the Santa Rosa Peak
- 17 Communication Site, the Sunnyslope Communication Site, and
- 18 the Glen Avon Communication Site.